vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1149 OF 1997

Sangli Municipal Council ... Petitioner

V/s.

Sub Divisional Officer,
Irrigation Sub Division, Sangli & Ors. .... Respondents

Mr.N.V. Walawalkar for Petitioner
Mr.Rajesh Behare for Respondent Nos.1 to 5
Mr.R.M. Patne, AGP, for Respondent No.7

CORAM: **S.B. MHASE &**
SMT.NISHITA MHATRE, JJ.

DATED: **MARCH 7, 2007**

P.C.:

. Mr.Walawalkar, learned Counsel for the Petitioner, has filed an additional affidavit and alongwith the said affidavit has annexed a representation dated 26.2.2007 addressed to the Government of Maharashtra. A copy of this affidavit and the representation is given to Mr.Behare, appearing for Respondent Nos.1 to 5. Mr.Walawalkar submitted that the grievance of the Petitioner will stand redressed if directions are given to the State Government to consider the said representation and a decision is taken on merit after hearing the Petitioner and all other concerned in the subject matter. Mr.Behare has no objection in such a representation being considered by the State

Government. Mr.Patne, who appears for the State of Government, states that Minister for Water Resources dealing with the subject of water resources will deal with the representation and take appropriate decision within three months.

2. In view of the various concessions given by the learned Counsel, we dispose off the writ petition with the direction to the State Government and more specifically to the Minister for Water Resources that the representation of the Petitioner dated 26.2.2007 annexed to the additional affidavit dated 26.2.2007 shall be considered after hearing the concerned parties on merit. The decision in this respect shall be taken within a period of three months. The interim relief which was running in favour of the petitioner during the pendency of the petition shall continue for a further period of three months. It shall further continue for a period of one month from the date of the decision by the Minister in case the decision is adverse to the Petitioner so as to enable the Petitioner to approach the appropriate forum.

3. Rule discharged. Writ Petition is disposed off accordingly.

(NISHITA MHATRE, J.) (S.B. MHASE, J.)